



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

## ACCOUNT OF THE FRENCH SOCIETY OF COMPARATIVE LEGISLATION.

### I.

"THE SOCIETY OF COMPARATIVE LEGISLATION," — ITS AIM.

THE Society of Comparative Legislation was founded at the beginning of the year 1869 by a group of scholars and jurists who wished to spread in France the knowledge of foreign laws and to create in Paris a scientific centre for the study of legislation. It received recognition as an institution of public utility by the decree of the 4th of December, 1873. Its headquarters are 44 Rue de Rennes, Paris, in the building of the Society for the Encouragement of National Industry.

The Society "has for its object the study of the laws of different countries and the discovery of practical means of improving the different branches of legislation."<sup>1</sup> "It does not vote on any question."<sup>2</sup>

### II.

#### CONSTITUTION OF THE SOCIETY.

Admission into the Society is obtained through the Executive Council on nomination by a member.<sup>3</sup> The annual assessment is twenty francs.

The Society is composed of French members and foreign members. Every year the Executive Council draws up a list of foreign correspondents, who are exempt from the payment of the assessment.

The Executive Council consists of a President, elected for two years; four Vice-Presidents and sixteen members, elected for four years; a General Secretary, four Secretaries, an indefinite number of Assistant Secretaries, and a Treasurer, elected annually by the Council.<sup>4</sup> The Council directs the work of the Society, decides as to the admission of new members, supervises the publications, and administers the funds.<sup>5</sup>

---

<sup>1</sup> Statutes, art. 2.

<sup>3</sup> Statutes, art. 5.

<sup>5</sup> Statutes, art. 11.

<sup>2</sup> Statutes, art. 4.

<sup>4</sup> Statutes, art. 7.

Since its foundation the Society has had the following presidents: MM. Laboulaye, member of the Institute, senator (deceased); Renouard, member of the Institute, chief prosecuting officer (*Procureur Général*) at the Court of Cassation, senator (deceased); Dufaure, member of the French Academy, senator, former Keeper of Seals, and former President of Council (deceased); Aucoc, member of the Institute, former Department President in the Council of State; Larombière, member of the Institute, First Honorary President in the Court of Cassation (deceased); Gide, professor in the Faculty of Law in Paris (deceased); Duverger, professor in the Faculty of Law in Paris (deceased); Barboux, advocate at the Court of Appeal of Paris, former leader of the bar; Dareste, member of the Institute, associate justice at the Court of Cassation; Ribot, deputy, former minister, former President of the Council of Ministers; Bufnoir, professor in the Faculty of Law at Paris; Du Buit, advocate at the Court of Appeal of Paris, former leader of the bar; Feraud-Giraud, Honorary President of the Court of Cassation. The President now in office is the distinguished M. Ch. Tranchant, former Councillor of State; for fourteen years the office of General Secretary has been filled by M. Fernand Daguin, doctor of laws, advocate in the Court of Appeal of Paris, who, by his indefatigable devotion and never-failing perseverance, concentrates the forces of the Society and guarantees a regular and fruitful management.

The Society consists at present of more than fourteen hundred members, and increases from year to year. It counts among its numbers those who are most distinguished in the Science of Law, members of Parliament, of the Council of State, of the Faculties of Law, of the bench and the bar, both in France and in other countries.

### III.

#### ORGANIZATION OF WORK IN THE SOCIETY.

As we said above, the Executive Council undertakes the direction of the work which comes within the scope of the Society. It directs and supervises the publications.

For the accomplishment of its work, the active members of the Society are grouped in four sections:—

1. Section of the French language (France, Belgium, Luxemburg, French Switzerland, Canada, Hayti);

2. Section of the English language (Great Britain and Ireland, English colonies, United States);

3. Section of Northern languages (Germany, Holland, Norway and Sweden, Russia, Austria-Hungary, German Switzerland, Servia, Bulgaria);

4. Section of Southern and Eastern languages (Spain, Portugal, Italy, Greece, Roumania, Turkey, Egypt, Spanish America, Brazil, and Japan).

Any member can, if he chooses, take part in the work of any one, or even of all the sections.

The Executive Council appoints annually, from the members of the Society, for each section, a President, two Vice-Presidents, and two Secretaries, all chosen on account of their standing and their qualifications.

Each section meets four times a year. The President at the opening of the meeting reads the list of laws to be noticed or to be translated, and then follows the distribution among the members of the section, whether present or not, to each one according to his special knowledge of the different branches of the law. One, for instance, devotes himself exclusively to questions of commercial law; another to labor questions; a third to maritime law; a fourth to the land laws and mortgages, and so forth. The union of persons of such varied capacities makes the division of labor easy, and the assignment of laws is quickly accomplished. When the distribution is made, the question arises whether all the laws assigned are worth being inserted or translated *in extenso* in the collections published by the Society. Therefore the texts of laws whose importance does not appear at first sight are made the subject of a special report at the next meeting by the member to whom the law has been provisionally assigned. Upon this report, the section votes whether it is a case for insertion or translation in full, or if, on the contrary, it is a case either for a short analysis or a mere mention.

The notice and the translation of the laws being provided for, the President of the section asks the members present for information as to the work on comparative law which they have undertaken or wish to undertake. This work consists of studies on matters of principle which may help the legislature to a solution of divers questions of the day, either in a given country or in all the principal civilized countries. These studies furnish the material for papers read by their authors at a general meeting.

The Society has for this purpose four general meetings a year,

at which the questions raised by the papers presented are learnedly discussed. The discussions are always of the greatest interest on account of the learning and the character of the speakers who take part in them. The first general meeting is always devoted, at least at the beginning, to an address by the President, and to the report of the Treasurer. The proceedings include also, when occasion arises, the re-election of the officers of the Society and the members of the Executive Council. The discussions, as we have already said, are never followed by any vote. To stimulate the work of the members and to guard against any want of initiative, the Society often suggests for investigation certain questions of special interest. Thus at the present time the Society is completing the publication of a series of essays treating of the organization of the bar in all countries, and it has recently proposed as a subject, *The Legal Control and Management of Non-business Associations in the Legislation of Different Countries.*

A library, comprising more than ten thousand volumes, and composed, for the most part, of works on foreign law, is established at the headquarters of the Society, and furnishes its members with useful material for work. This library is open to persons not belonging to the Society, by permission of the General Secretary.

#### IV.

##### WORKS PUBLISHED BY THE SOCIETY.

1. BULLETIN. — The Society of Comparative Legislation has published since its foundation a monthly bulletin. In this bulletin are printed the essays on questions of foreign law, of comparative law and international law read at the general meetings, as well as the report of the discussions raised by these essays. This bulletin contains, besides more extensive papers on comparative legislation, a legislative chronicle of the principal foreign legislative assemblies, and a thorough review of works presented to the Society and distributed by each of the sections to its members. Finally, the bulletin brings to the knowledge of the members of the Society all the facts of internal organization likely to interest them (list and addresses of the French and foreign members; reports of the meetings of sections and the like). A full table of contents ends the December number; the bulletin makes a good-sized volume annually.

2. ANNUALS. — Since 1872 the Society has published every year an Annual of Foreign Legislation, and, since 1882, an Annual of French Legislation. The first contains the translation of laws of general interest published annually in foreign countries; the French translation of each law is preceded by a notice and accompanied by notes upon the genesis of the law and former legislation; a general notice on the legislative work of each country, containing chiefly the mention or a brief analysis of laws, which are not sufficiently important to be translated *in extenso*, precedes the separate notices and the translation of the laws of the country in question. The Annual of French Legislation contains the annotated text of the French laws of general interest issued during the year.

3. VARIOUS PUBLICATIONS. — The Society, apart from its periodical publications, has published a general treatise on the French and foreign laws relating to aliens, and an analogous work on the Law of Notaries.

4. FOREIGN CODES. — Finally the Society has undertaken to publish a translation of the principal foreign codes. The translation of the Austrian Code of Criminal Procedure of 1873, made by MM. Ed. Bertrand and Ch. Lyon-Caen, was printed by order of the government at the National Printing Press, and appeared in 1875. Since then the Committee on Foreign Legislation, established at the Ministry of Justice, has been charged with the official continuation of this work. With this object the Committee has called for the co-operation of the Society of Comparative Legislation, which has provided translators. The Committee in conjunction with the Society has published the following Codes: —

1. The German Commercial Code and German Bills of Exchange Act, translated by MM. P. Gide. Ch. Lyon-Caen, J. Flack, and J. Stourm.

2. Penal Code of Holland, translated by M. W. Wintgens.

3. German Code of Criminal Procedure, translated by M. F. Daguin.

4. German Code of the Organization of the Judiciary, translated by M. L. Dubarle.

5. The Colonial Charters and the Constitutions of North America, translated by M. A. Gourd.

6. Hungarian Penal Code, translated by MM. E. Glasson, E. Lederlin, and F. R. Dareste.

7. German Imperial Code of Civil Procedure, translated by MM. Glasson, E. Lederlin, and F. R. Dareste.
8. English Bankruptcy Act, translated by M. Ch. Lyon-Caen.
9. Portuguese Commercial Code, translated by M. E. Lehr.
10. French and Foreign Copyright Laws, collected by MM. Ch. Lyon-Caen and P. Delalain.
11. Penal Code of Italy of 1889, translated by M. L. Lacointa.
12. Civil Code of the Canton of Zurich, translated by M. E. Lehr.
13. General Code of Personal Property of Montenegro, translated by MM. R. Dareste and A. Rivière.
14. Russian Code of the Organization of the Judiciary, translated by M. J. Kapnist.
15. Scandinavian Maritime Laws, translated by M. L. Beauchet.

## V.

### INFLUENCE OF THE SOCIETY.

The Society of Comparative Legislation takes part every year in the Congress of Learned Societies organized by the Ministry of Public Instruction. It has been represented by delegates at most of the great international congresses.

In 1889, on the occasion of the twentieth anniversary of its foundation, the Society itself organized a Congress, which was held in Paris and was a marked success.

Finally, the Society has obtained a large number of prizes. At the Philadelphia Exposition in 1876 it was awarded the medal offered by the Centennial Commission of the United States; at the Universal Exposition of Paris in 1878 it obtained a diploma of honor equivalent to a gold medal, and at the Lyons Exposition in 1894 a first prize.

The French Society of Comparative Legislation appeals to jurists throughout the world; scholars, practitioners, legislators, are all interested in its development. By the multiplicity of its publications, every one, whose curiosity is naturally kindled by the extraordinary legislative movement of the present day, is kept in touch with the course of events. The great capacity of the eminent men who direct it and preside over its labors, the ardent zeal of even the humblest of its co-workers, guarantee the quality of the works which are developed under its auspices. Its main object is, by

putting the knowledge of the laws of all countries within the reach of everybody, gradually to bring about uniformity in legislation through the development of the science of law ; this is pre-eminently a work of civilization and of progress, which, as such, commends itself to the attention of the whole world.

*Henri Lévy-Ullmann,*  
*Advocate of the Court of Appeal of Paris, Member of the*  
*Society of Comparative Legislation.*

PARIS, 1896.